

PINs:
08-05-207-034
05-32-300-012

ADDRESS:
1935 [part of], 1940, 1960, 1980
AND 2000 LUCENT LANE
NAPERVILLE IL 60563

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #20-1-008

ORDINANCE NO. 20 - _____

**AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT OF SUBDIVISION
AND THE OWNER'S ACKNOWLEDGEMENT AND ACCEPTANCE AGREEMENT FOR
NOKIA CAMPUS**

RECITALS

1. **WHEREAS**, Nokia of America Corporation (formerly known as Alcatel-Lucent USA Inc.), a Delaware Corporation ("**Petitioner**"), is the owner of real property on part of 1935 Lucent Lane and on 1940, 1960, 1980, and 2000 Lucent Lane, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for the Nokia Campus in order to subdivide the Subject Property into 3 lots and 1 outlot; and

3. **WHEREAS**, the Petitioner has requested a variance from Section 7-4-4:2.3 (Design Standards: Land Use) in order to reduce the lot width at the right-of-way for the proposed Lot 3 of the Subject Property of the Nokia Campus from 66' to 0'; and
4. **WHEREAS**, per Section 7-1-8 (Requests to Waive or Modify Subdivision Requests), a request to waive a requirement found in Section 7-4-4 (Design Standards: Land Use) shall be processed as a variance and reviewed by the Planning and Zoning Commission; and
5. **WHEREAS**, on February 19, 2020, the Planning and Zoning Commission considered the Preliminary/Final Plat of Subdivision and lot width variance request and recommended approval of the Petitioner's request; and
6. **WHEREAS**, the Petitioner shall cause a non-exclusive emergency public access easement, which will provide access to and from West Lucent Lane and Indian Hill Woods Subdivision, to be included on the Preliminary/Final Plat of Subdivision, as approved by both the Petitioner and the City Engineer, prior to recordation of said plat with the DuPage County Recorder. The Petitioner shall not be required to construct any improvements in the easement area; and
7. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision and the associated variance for the Nokia Campus should be approved as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing recitals are incorporated as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The Preliminary/Final Plat for the Nokia Campus, attached to this Ordinance as **Exhibit B**, is hereby approved, subject to addition of the emergency access easement referenced in Recital No. 6 above, and subject to compliance with the provision of the Owner's Acknowledgement and Acceptance, attached to this Ordinance as **Exhibit C**.

SECTION 3: A variance to Section 7-4-4:2.3 (Design Standards: Land Use) in order to reduce the lot width at the right-of-way for the proposed Lot 3 of the Subject Property of the Nokia Campus from 66' to 0'.

SECTION 4: The Owner's Acknowledgement and Acceptance, attached to this Ordinance as **Exhibit C**, is hereby approved.

SECTION 5: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 6: Upon direction from the City Attorney, the City Clerk is authorized and directed to record this Ordinance, the Preliminary/Final Plat for the Nokia Campus as provided herein, and the Owner's Acknowledgement and Acceptance, approved by this Ordinance, with the DuPage County Recorder.

SECTION 7: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this

Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

SECTION 8: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2020.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk